

### REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 21-37 are pending in the application, with Claims 21, 32, and 35 amended by the present amendment.

In the outstanding Office Action, Claims 23, 32 and 35 were objected to because of informalities; the Specification was objected to because of the length of the Abstract; Claims 21-34 were rejected under 35 U.S.C. 35 §101 because the claimed invention was directed to non-statutory subject matter and Claims 21-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by Barnard et al. (U.S. Published Application No. 2002/0103731, hereinafter Barnard).

Claims 21, 32, and 35 are amended to more clearly describe and distinctly claim Applicants' invention. Support for these amendments is found in Applicants' originally filed specification.<sup>1</sup> The abstract is amended to a length less than 150 words. No new matter is added.

In view of the amendment to Claims 21, 32, and 35, Applicants submit the outstanding objection and rejection under U.S.C. 35 § 101 is moot.

Briefly recapitulating, amended Claim 21 is directed to a method for managing sales activities. The method includes the steps of: a) storing in a database information relative to each of a plurality of predetermined maturity stages of a sales transaction with a specific customer, the maturity stages corresponding to intermediate goals set for achieving the sales transaction; b) retrieving maturity items included in the information from the database, the maturity items corresponding to one of the plurality of predetermined maturity stages that should be achieved next according to a predetermined order; c) displaying the retrieved maturity items on a predetermined displaying unit; d) inputting presence or absence of

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<sup>1</sup> Specification, page 14, line 1 – page 15, line 8.

achievement of the display maturity items via an input device; and e) updating the database to store information representing that the maturity stage has been achieved, when achievements are input for all maturity items corresponding to the maturity stage.

Barnard describes a system for general procurement and accounts payable, including a database of templates describing procedures for assessing, preparing, developing, deploying and supporting the application, and for serving these template to team members operating we-enable terminals for coordinating, recording and tracking team activities with respect to the application.<sup>2</sup> However, Barnard fails to disclose or suggest Applicants' claimed step of retrieving maturity items included in the information from the database, the maturity items corresponding to one of the plurality of predetermined maturity stages that should be achieved next according to a predetermined order. Barnard also fails to disclose or suggest Applicants' claimed steps of d) inputting presence or absence of achievement of the display maturity items via an input device; and e) updating the database to store information representing that the maturity stage has been achieved, when achievements are input for all maturity items corresponding to the maturity stage.

MPEP § 2131 notes that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "When a claim covers several structures or compositions, either generically or as alternatives, the claim is deemed anticipated if any of the structures or compositions within the scope of the claim is known in the prior art." *Brown v. 3M*, 265 F.3d 1349, 1351, 60 USPQ2d 1375, 1376 (Fed. Cir. 2001) (claim to a system for setting a computer clock to an offset time to address the Year 2000 (Y2K) problem, applicable to records with year date data in "at least one of two-digit, three-digit, or four-digit"

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<sup>2</sup> Barnard, abstract.

representations, was held anticipated by a system that offsets year dates in only two-digit formats). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Because Barnard does not disclose or suggest all the features recited in Claims 21, 32, and 35, Barnard does not anticipate the invention recited in Claims 21, 32, and 35, and all claims depending therefrom.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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